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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/713,806

11/13/2003

Nathan Bryant Baker

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4189

7590

09/26/2006

Alex L Yip
Kay Scholer LLP
425 Park Avenue
New York, NY 10022

EXAMINER

AL AUBAIDI, RASHA S

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 09/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/713,806

Applicant(s)

BAKER, NATHAN BRYANT

Examiner

Rasha S. AL-Aubaidi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/13/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

On page 3, line 27, of the specification, Applicant's recite "'SIP: Protocol Overview' (2001), found at <http://www.radvision.com>". Changes are required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lingham (US PAT # 6,356,876) in view of Truitt (US PAT # 7,080,049).

Regarding claim 1, Lingham teaches a method for selecting a profile to use in servicing a call (see col. 1, lines 35-38, col. 2 and lines 53-63), the method comprising: receiving a signaling stream associated with the call (see col.3, lines 6-12), the signaling stream including at least first (this may read for example on "BTN", see col. 4, lines 18-23) and second identifiers (this can read on the received "ANI", see col. 3, lines 6-10), the first identifier (this is inherent since the "BTN" should include information about

which telephone number should be billed) containing data concerning an account to which the call is to be billed; maintaining first and second profiles identifiable by the first and second identifiers, respectively (the first profile reads on assigning a specific telephone number to be billed and the second profile is basically the ANI associated with the calling party, see col. 4, lines 29-37); retrieving the first profile based on the first identifier (this is inherent).

Lingham does not specifically teach “based on data in the first profile, determining whether to use the first profile or the second profile”.

However, Truitt teaches in a method and system for processing transaction determining whether a transaction should be charged to this telephone number or to other telephone account (see col. 8, lines 24-44).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of choosing which telephone number will be charged/billed based on the person desire, as taught by Truitt, into the Lingham system in order to provide convenience for the subscriber and enhance the efficiency of the billing process by assigning one “BTN” to be billed instead of billing any ransom account or number.

Claim 10 is rejected for the same reasons as discussed above with respect to claim 1. The claimed “interface” as recited in claim 10 reads on “network interface 204” (see col. 4, lines 17-22). The claimed “database” reads on “profile database 106” (see col. 2, lines 55-63). The claimed “processor” reads on “controller 202” (see Fig. 2 and

col. 4, lines 29-45).

Claims 2 and 11 are rejected for the same reasons as discussed above with respect to claims 1 and 10.

Claims 3 and 12 recite, “ the data allows the use of the second profile”. This is obvious. It is absolutely a user/subscriber preference to specify, which profile should be used.

Regarding claims 4 and 13, Truitt teaches selecting the first profile to service the call if the second identifier is the same as the first identifier (see col. 49, lines 6-22).

Regarding claims 5 and 14, Lingham teaches selecting the first profile to service the call if the second identifier differs from the first identifier, but no second profile exists (this reads on the scenario of using the BTN associated with the telephone account as a default when there is no other specific number chosen by the user/subscriber, see col. 4, lines 16-23).

Regarding claims 6 and 15, Truitt teaches selecting the second profile to service the call if the second identifier differs from the first identifier and the second profile exists (this basically reads on choosing the ANI instead of the BTN based on the user/subscriber preference. In Truitt this limitation reads on confirming the BTN

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associated with the telephone account 34, see col. 5, lines 64-67 and col. 6, lines 1-3).

Claims 7 and 16 recite "the signaling stream is formatted in accordance with an SS7 protocol". The use of an SS7 is obvious, since Lingham teaches that any combination of telecommunications and type of data network maybe used (see col. 2, lines 39-46).

Claims 8 and 17 are rejected for the same reasons as discussed above with respect to claims 7 and 16.

Claims 9 and 18 recite " an information assistance service services the call". This is obvious and well known in the art.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Brown et al. (US PAT # 7,099,652) teach originating a billed transaction for an origin telephone device (see abstract, col. 3, lines 44-49, col. 4, lines 48-51, col. 6, lines 38-64 and col. 7, lines 10-23).

Hogan et al. (US PAT # 5,586,175) teach a call processing system and method (see abstract of the invention).

Ananian (US PAT # 7,013,290) teaches a personalized interactive digital catalog profile (see abstract of the invention).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan, can be reached on (571) 272-7493.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read 'Rasha S. Al-Aubaidi', with a stylized, flowing script.

RASHA S. AL-AUBAIDI
PATENT EXAMINER

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09/19/2006